



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 2, 2020

OFFICE OF
GENERAL COUNSEL

Mr. Curt Devine
CNN
820 1st Street, N.E., 9th Floor
Washington, DC 20002

Re: Freedom of Information Act Request No. EPA-HQ-2019-007762

Dear Mr. Devine:

This letter concerns the above-referenced Freedom of Information Act (FOIA) request, received by the U.S. Environmental Protection Agency (EPA) on July 31, 2019, in which you requested the following: "all emails sent or received by Matthew Leopold, Lee Forsgren or David Fotouhi with any email address that ends with "@pebblepartnership.com" since January 1, 2018. This should include any attachments in those emails." On August 23, 2019, you requested that the request be modified to request the following: "all emails sent or received by Matthew Leopold, Lee Forsgren or David Fotouhi with any email address that ends with "@pebblepartnership.com" or "@balladpartners.com" since January 1, 2018. This should include any attachments in those emails."

EPA has completed its search for records responsive to your request and is issuing a partial grant/partial denial. EPA determined that 60 records were responsive to your request. From the records that EPA determined were responsive, EPA produced 54 records in full and 6 records in part. In addition, EPA proactively released additional records to you. These records were provided to you through interim responses sent on October 16, 2019, December 13, 2019, and March 19, 2020. As a reminder, you may access these records at the following links:

- <https://foiaonline.gov/foiaonline/action/public/submissionDetails?trackingNumber=EPA-R10-2019-000135&type=request>; and
- <https://www.foiaonline.gov/foiaonline/action/public/submissionDetails?trackingNumber=EPA-R10-2019-008233&type=request>.

Alternatively, you may access these records by searching for EPA-R10-2019-008233 and EPA-R10-2019-000135 in FOIAonline.

EPA is withholding portions of certain records pursuant to 5 U.S.C. § 552(b)(5), (6). The records are exempt from disclosure because they are pre-decisional and deliberative and would harm agency

decision-making if released or contain personal information which would be an unwarranted invasion of personal privacy if released. EPA identified the applicable exemptions in the redaction overlay text on these records.

This letter concludes our response to your request. You may appeal this determination by email at hq.foia@epa.gov, or by mail to the EPA's National FOIA Office, U.S. EPA, 1200 Pennsylvania Avenue, N.W. (2310A), Washington, DC 20460 or through FOIAonline if you are an account holder. If you are submitting your appeal by hand delivery, courier service, or overnight delivery, you must address your correspondence to 1200 Pennsylvania Avenue, N.W., WJC-N Building, Room 7309C, Washington, DC 20460.

Your appeal must be in writing, and it must be received no later than 90 calendar days from the date of this letter. The Agency will not consider appeals received after the 90-calendar-day limit. Appeals received after 5:00 p.m. EST will be considered received the next business day. The appeal letter should include the FOIA tracking number listed above. For quickest possible handling, the subject line of your email, the appeal letter, and its envelope, if applicable, should be marked "Freedom of Information Act Appeal."

If you need any further assistance or would like to discuss any aspect of your request, you may seek assistance from EPA's FOIA Public Liaison at hq.foia@epa.gov or call (202) 566-1667. You may also seek assistance from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001; email: ogis@nara.gov; telephone: (202) 741-5770 or (877) 684-6448; or fax: (202) 741-5769. For all media inquiries, please contact press@epa.gov.

Thank you for your interest in this information.

Sincerely,

Ariadne Goerke
Acting Associate Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency